<u>**REMARKS**</u>

Claims 1-3, 5-18, 23-25, and 27-29 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   Rejection of Claims 1, 10 and 29 Under 35 U.S.C. §101

Claims 1, 10 and 29 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Such claims have been amended herein and withdrawal of this rejection is respectfully requested.

II.   Rejection of Claims 1 Under 35 U.S.C. §102(b)

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by Mehta (US 5,999,933). Withdrawal of this rejection is respectfully requested for at least the following reasons. Mehta does not teach or suggest the claimed invention.

> For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art reference.* In re Robertson, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.,* 814 F.2d 628, 631, 2USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Contrary to assertions made by the Examiner, Mehta does not disclose an arbiter component that facilitates interaction *between the* computer network and the industrial device, as in the claimed invention. Mehta at column 6 lines 1-15, as cited in the Office Action, is directed to a standard data base management system that itself is *part of* the computer network; and not an *intermediate* component *between the* computer network and the industrial device - to further *facilitates interaction therebetween,* as in the claimed invention. Independent claim 1 recites an arbiter component that facilitates access *between industrial devices* and *computer networks* for an access to the database tables. *See also* Fig, 4 of the Specification.

Moreover, Mehta does not teach a mapping component as cited in independent claim 1. Rather, the mapping feature of Mehta maps *from a memory dump* (e.g., a crashed software/hardware) to a table, wherein one table is created per selected type of data; and one row

in the table to represent a data structure. Mehta makes available power of standard base management systems to determine cause of crash of a hardware/software system for which the memory dump was taken. Such is not the mapping from *an industrial unit* (e.g., non-crashed and operational entity) to a table for eliminating or mitigating *a requirement of proprietary data access software*; such as a need to develop, install and execute custom interface and specialized drivers on the industrial control and computing devices.

Put differently, the subject invention in part generates a database table that contains industrial data *via* the mapping component, wherein such data is *accessible through* a standard database interface *without* requirement of *proprietary data* access software tailored *for the industrial device*(s), and/or without requirement of *platform specific software* being tailored for the industrial device(s), and/or employing classifiers. For example, tables generated *via* such mapping can be accessed through a standard database interface such as JDBC, which typically is employed in connection with a host driver that is written in JAVA such that it can be ported to essentially any platform. Thus, a programmer can write code that can read from and write to these database tables without any platform specific software (*e.g.*, interfaces, drivers and operating system specific software).

Independent claim 1 further recites: "the database table(s) accessible through a standard database interface *without requirement of proprietary data access software* tailored for the industrial device(s) [...]. In view of the at least above comments, it is readily apparent that Mehta does not teach or suggest the subject invention as recited in independent claims 1, and this rejection should be withdrawn.

III.   Rejection of Claim 8 Under 35 U.S.C. §103(a)

Claim 8 stands rejected under 35 U.S.C. §103(a) as being obvious over Mehta in view of Ito *et al.* (US 2004/0143791). Claim 8 depends from independent claim 1, and Ito *et al.* does not make up for the aforementioned deficiencies of Mehta with respect to the subject independent claims. Accordingly, withdrawal of this rejection is respectfully requested.

IV.   Rejection of Claim 27 Under 35 U.S.C. §103(a)

Claim 27 stands rejected under 35 U.S.C. §103(a) as being obvious over Mehta and Scott, and further in view of Ito *et al.* Claims 27 depends from independent claim 23, and Ito *et al.* does not make up for the aforementioned deficiencies of Mehta and Scott with respect to the subject independent claim. Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [ALBRP330US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

 /Seyed Vahid Sharifi Takieh/
Seyed Vahid Sharifi Takieh
Reg. No. 45,828

AMIN, TUROCY & CALVIN, LLP
57 TH Floor – Key Tower
127 Public Square
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731